

REMARKS

Claims 1 to 3, 5 to 9 and 15 to 24 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 to 19 of Snawerdt (US 6,665,500). Claim 18 was rejected under 35 U.S.C. §112 as being indefinite. Claims 1, 2, 5, 7, 8, 10, 18 and 22 were rejected under 35 U.S.C. §103(a) as being unpatentable over Hansen et al. (US 6,271,950) in view of Spanke (US 5,572,350) and further in view of Choy et al. (US 5,825,949). Claim 3 was rejected under 35 U.S.C. §103(a) as being unpatentable over Hansen et al. in view of Spanke and Choy et al., and further in view of Siegel (US 4,998,295). Claims 9, 17, 20, 23 and 24 were rejected under 35 U.S.C. §103(a) as being unpatentable over Hansen et al. in view of Choy et al. Claim 21 was rejected under 35 U.S.C. §103(a) as being unpatentable over Hansen et al. in view of Choy et al., further in view of Siegel.

Reconsideration of the application based on the following is respectfully requested

Double Patenting Rejection

Claims 1 to 3, 5 to 9 and 15 to 24 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 to 19 of Snawerdt (US 6,665,500). One terminal disclaimer signed by the attorney of record is filed herewith to remove the obvious-type double patenting rejections, as both cited patents are commonly owned by the present assignee, Oyster Optics, Inc. Withdrawal of the obviousness-type double-patenting rejections is respectfully requested.

Rejection under 35 U.S.C. §112

Claim 18 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. Claim 18 has been amended to provide proper antecedent basis. Withdrawal of the rejection is respectfully requested.

Rejections under 35 U.S.C. §103(a)

Claims 1, 2, 5, 7, 8, 10, 18 and 22 were rejected under 35 U.S.C. §103(a) as being unpatentable over Hansen et al. (US 6,271,950) in view of Spanke (US 5,572,350) and further in view of Choy et al. (US 5,825,949). Claim 3 was rejected under 35 U.S.C. §103(a) as being unpatentable over Hansen et al. in view of Spanke and Choy et al., and further in view of Siegel (US 4,998,295). Claims 9, 17, 20, 23 and 24 were rejected under 35 U.S.C. §103(a) as being unpatentable over Hansen et al. in view of Choy et al. Claim 21 was rejected under 35 U.S.C. §103(a) as being unpatentable over Hansen et al. in view of Choy et al., further in view of Siegel.

Claim 1 and dependent claims

Neither Hansen nor Spanke nor Choy discloses a card “with a receiver having an interferometer for reading received optical signals, the interferometer having a delay loop fiber” or “a securing device for securing the delay loop fiber.”

The card of Choy is for a multiplexing device with gratings. There is absolutely no teaching in Choy to place a device with a delay fiber loop as in Hansen as claimed.

Moreover, neither Choy, nor Spanke, nor Hansen shows a securing device for such a fiber, as admitted.

Withdrawal of the rejection to claim 1 under 35 U.S.C. 103 is respectfully requested.

With respect to claim 5, this feature is also not shown, i.e. that the securing device attaches directly to the card.

Claim 9

With respect to claim 9, Choy also does not disclose “a faceplate having a fiber tap signal device for indicating a fiber tap.” No fiber signal tap device on a faceplate is shown at all and none is cited by the Office Action. In addition, the Laser Status Output registers that the laser is properly functioning (See col. 6, line 7) and does not provide any indication of a tap at all. No fiber tap signal is provided in Choy.

Withdrawal of the rejection to claim 9 is respectfully requested.

Claims 17 and 24 and dependent claims

Claim 17 recites a card for transmitting data over at least one optical fiber, the card comprising: a transmitter having at least one laser and a single phase modulator for phase modulating all of the light from the laser so as to create phase-modulated optical signals in the light as a function of an input electronic data stream; and a receiver having an interferometer for reading received optical signals. Claim 24 recites a similar receiver.

Choy does not teach placing a transmitter and a receiver with an interferometer for reading phase-modulated optical signals on a signle card, but rather relates to grating configurations. Withdrawal of the rejection to claims 17 and 24 is respectfully requested.

With respect to claim 18, none of the references shows a securing device.

With respect to claim 23, none of the references shows a fiber tap signal device.

Withdrawal of the rejections under 35 U.S.C. §103(a) thus is respectfully requested.

Claims 6, 15, 16 and 19

With respect to claims 6, 15, 16 and 19, no prior art rejection remains outstanding and an indication of allowance for these claims is respectfully requested.

Appl. No. 09/776,438  
Amdt. dated November 9, 2004  
Reply to Office Action of July 9, 2004

CONCLUSION

The present application is respectfully submitted as being in condition for allowance and applicants respectfully request such action.

Respectfully submitted,

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